

**ORIGINAL**

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WESTERN DISTRICT OF TEXAS  
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CIVIL ACTION NO. A 00 CA 813 JN

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Plaintiff's grievance concerning the denial of his application for tenure as well as concerning other issues related to Plaintiff's allegations.

2. Larry R. Faulkner  
President  
University of Texas at Austin  
Austin, TX 78713  
512/471-3434

President Faulkner is expected to testify regarding the decision to deny Plaintiff's application for tenure, the University's policies and procedures concerning tenure, and other issues related to Plaintiff's allegations.

3. Sheldon Ekland-Olson  
Executive Vice-President and Provost  
University of Texas at Austin  
Austin, TX 78713  
512/471-3434

Provost Ekland-Olson is expected to testify regarding the decision to deny Plaintiff's application for tenure, the University's policies and procedures concerning tenure and how they have been applied, University accounting and/or budgeting practices concerning grants and research associated with those grants, and other issues related to Plaintiff's allegations.

4. Ben G. Streetman  
Dean of the College of Engineering  
University of Texas at Austin  
Austin, TX 78713  
512/471-3434

Dean Streetman is expected to testify to the same effect as his testimony at the hearing of Plaintiff's grievance concerning the denial of his application for tenure as well as concerning other issues related to Plaintiff's allegations.

5. Neal A. Armstrong  
Dean of Academic Affairs  
University of Texas at Austin  
Austin, TX 78713  
512/471-3434

Dean Armstrong is expected to testify regarding the decision to deny Plaintiff's application for tenure, the University's policies and procedures concerning tenure and how they have been applied, University accounting and/or budgeting practices concerning grants and research associated with those grants, and other issues related to Plaintiff's allegations.

6. Sheldon Landsberger, Ph.D.  
Nuclear Program Coordinator  
University of Texas at Austin  
Austin, TX 78713  
512/471-3434

Dr. Landsberger is expected to testify to the same effect as his testimony at the hearing of Plaintiff's grievance concerning the denial of his application for tenure as well as concerning other issues related to Plaintiff's allegations.

7. J. Parker Lamb, Ph.D.  
c/o University of Texas at Austin  
Austin, TX 78713  
512/471-3434

Dr. Lamb is expected to testify to the same effect as his testimony at the hearing of Plaintiff's grievance concerning the denial of his application for tenure as well as concerning other issues related to Plaintiff's allegations.

8. Graham Carey, Ph.D.  
Chair Professor - Aerospace Engineering  
And Engineering Mechanics  
College of Engineering  
University of Texas at Austin

Austin, TX 78713  
512/471-3434

Dr. Carey is expected to testify to the same effect as his testimony at the hearing of Plaintiff's grievance concerning the denial of his application for tenure as well as concerning other issues related to Plaintiff's allegations.

9. Joseph J. Beaman, Jr., Ph.D.  
Department of Mechanical Engineering  
College of Engineering  
University of Texas at Austin  
Austin, TX 78713  
512/471-3434

Dr. Beaman is expected to testify to the same effect as his testimony at the hearing of Plaintiff's grievance concerning the denial of his application, including but not limited to Plaintiff's tenure application and the University's policies and procedures concerning tenure and how they have been applied.

10. David S. O'Kelly  
Associate Director of the Nuclear Engineering Teaching Laboratory  
Prc-Nucl Engr Teach Lab  
University of Texas at Austin  
Austin, TX 78712  
512/232-5373

Mr. O'Kelly is expected to testify regarding the assignment and usage of office space at the NETL.

11. Michael Krause  
Manager Operations & Maintenance  
Nuclear Engineering Teaching Laboratory  
Prc-Nucl Engr Teach Lab  
University of Texas at Austin  
Austin, TX 78712  
512/232-5376

Mr. Krause is expected to testify regarding the assignment and usage of office space at the NETL.

12. Wes Barnes, Ron Barr, David Blackstock, David Bourell, Mike Bryant, Melba Crawford, Mike Crawford, Zwy Eliezer, Eric Fahrenthold, John Goodenough, Paul Ho, Jack Howell, Paul Jensen, Jerry Jones, Billy Koen, Fred Ling, Kurt Marshek, Glenn Masada, Ron Matthews, Ken Ralls, Juan Sanchez, Phil Schmidt, Del Tesar, Gary Vliet, Bernard Wehring, and William Weldon

Professors

Current and former members of the Mechanical Engineering

Department Budget Council

University of Texas at Austin

ETC II 5.160

Austin, Texas 78712-1063

512/471-0796

These professors are expected to testify regarding Plaintiff's tenure application and the University's policies and procedures concerning tenure and how they have been applied.

13. Jon Bard, Mark Hamilton, and Ron Panton

Professors

Mechanical Engineering Department

University of Texas at Austin

ETC II 5.160

Austin, Texas 78712-1063

512/471-0796

These professors are expected to testify regarding Plaintiff's tenure application and review by the Mechanical Engineering's Productivity Committee.

14. Kenneth R Diller, Professor, SCD

Department of Mechanical Engineering

Biomedical Engineering

University of Texas at Austin

Austin, TX 78712

512/471-7167

Dr. Diller is expected to testify regarding annual reports, Plaintiff's application for tenure, the University's policies and procedures concerning tenure and how they have been applied, and his email to Herbert Woodson dated April 10, 1995 regarding journals and publications.

15. Dr. Kenneth Lee Peddicord  
Member of ANRCP Governing Board  
Associate Vice Chancellor for Strategic Programs  
The Texas A&M University System  
Nuclear Engineering  
129 Zachry Engineering Center  
College Station, TX 77843-3133  
979/862-2831

Dr. Peddicord is expected to testify regarding ANCRP's operations and policies, including the policy that research funding be administered through the ANRCP, and the withdrawal of the Center's offer to fund a project submitted by Dr. Nelson and Dr. Adams.

16. Dr. Kathleen Harris  
Former Member of ANRCP Governing Board  
Assistant Vice President for Research  
Texas Tech University  
P.O. Box 41035  
Lubbock, Texas 79409  
806/742-3884 #228

Dr. Harris is expected to testify regarding ANCRP's operations and policies, including the policy that research funding be administered through the ANRCP, and the withdrawal of the Center's offer to fund a project submitted by Dr. Nelson and Dr. Adams.

17. Wales Madden, Jr.  
Member of ANRCP Governing Board  
P.O. Box 15288  
Amarillo, Texas 79101  
806/374-2422

Mr. Madden is expected to testify regarding ANCRP's operations and policies, including the policy that research funding be administered through the ANRCP, and the withdrawal of the Center's offer to fund a project submitted by Dr. Nelson and Dr. Adams.

18. Bill Harris  
Director of the ANRC  
600 S. Tyler, Suite 800  
Amarillo, Texas 79101  
806/ 376-5533

Mr. Harris is expected to testify regarding ANCRP's operations and policies, including but not limited to: the policy that research funding be administered through the ANRCP; the withdrawal of the Center's offer to fund a project submitted by Dr. Nelson and Dr. Adams; Plaintiff's grants and proposals with the ANRCP; the management and operation of the ANRCP, funding and grants; and communications with Plaintiff.

19. Rick Hartley  
Former Deputy Director of the ANRCP  
BWXT-Pantex  
P.O. Box 30020  
Amarillo, Texas 79120  
806/477-6480

Mr. Hartley is expected to testify regarding ANCRP's operations and policies, including but not limited to: the policy that research funding be administered through the ANRCP; the withdrawal of the Center's offer to fund a project submitted by Dr. Nelson and Dr. Adams; Plaintiff's grants and proposals with the ANRCP; the management and operation of the ANRCP, funding and grants; and communications with Plaintiff.

20. Dr. Carl Beard  
Former Nuclear Program Manager for the  
Amarillo National Resource Center for Plutonium  
BWXT-Pantex  
P.O. Box 30020  
Amarillo, Texas 79120  
806/477-6480

Dr. Beard is expected to testify regarding Plaintiff's grants and proposals with the ANRCP, the management and operation of the ANRCP, funding and grants, and communications with Plaintiff.

21. David Watson  
Manager  
Finance and Administration for ANRC  
600 S. Tyler, Suite 800  
Amarillo, Texas 79101  
806/376-5533

Mr. Watson is expected to testify as to funding received by the Plaintiff from the ANRCP and his accounts.

#### PROPOSED EXHIBITS

Defendants will select exhibits for trial from those at the grievance hearing. In addition, Defendants may use any exhibits designated by Plaintiff as well as rebuttal exhibits. Defendants reserve the right to amend and/or supplement this list of proposed exhibits as discovery proceeds.

#### TESTIFYING EXPERTS

At this time, Defendants do not anticipate the need to present expert opinion testimony.

Defendants reserve the right to supplement and/or amend this list of potential



witnesses, proposed exhibits, and testifying experts as discovery proceeds.

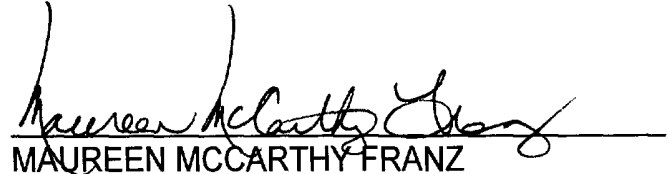
Respectfully submitted,

JOHN CORNYN  
Attorney General of Texas

HOWARD BALDWIN  
First Assistant Attorney General

JEFFREY S. BOYD  
Deputy Attorney General for Litigation

TONI HUNTER  
Chief, General Litigation Division


A handwritten signature in black ink, appearing to read "Maureen McCarthy Franz", is written over a horizontal line.

MAUREEN MCCARTHY FRANZ  
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Assistant Attorney General  
General Litigation Division  
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Austin, Texas 78711-2548  
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(512) 320-0667 FAX  
ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing instrument has been sent via *certified mail, return receipt requested*, on June 4, 2001 to:

David T. Lopez  
David T. Lopez & Assoc.  
3900 Montrose Boulevard  
Houston, Texas 77006-4959

  
MAUREEN MCCARTHY FRANZ  
Assistant Attorney General